

Modification of a Construction Permit Application

Call Sign: **KILM** | Facility ID: **63865** | Status: **Superceded** | Status Date: **06/05/2009** | FRN: **0017109539**

General Information

Section	Question	Response
Application Description	Description of the application (255 characters max.) is visible only to you and is not part of the submitted application. It will be displayed in your Applications workspace.	
Attachments	Are attachments (other than associated schedules) being filed with this application?	

Fees, Waivers, and Exemptions

Section	Question	Response
Fees	Is the applicant exempt from FCC application Fees?	No
	Indicate reason for fee exemption:	
	Is the applicant exempt from FCC regulatory Fees?	No
Waivers	Does this filing request a waiver of the Commission's rule(s)?	
	Total number of rule sections involved in this waiver request:	
	Are the frequencies or parameters requested in this filing covered by grandfathered privileges, previously approved by waiver, or functionally integrated with an existing station?	

Applicant
Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
Applicant Doing Business As: KAZN-TV LICENSEE LLC	449 BROADWAY NEW YORK, NY 10013	+1 (212) 431-4300		Other

Authorization Holder Name

Check box if the Authorization Holder name is being updated because of the sale (or transfer of control) of the Authorization(s) to another party and for which proper Commission approval has not been received or proper notification provided.

Contact
Representatives
(2)

Contact Name	Address	Phone	Email	Contact Type
S. MERRILL WEISS MERRILL WEISS GROUP LLC	227 CENTRAL AVENUE METUCHEN, NJ 08840-1242	+1 (732) 494-6400	MERRILL@MWGRP.COM	Legal Representative
S. MERRILL WEISS TECHNICAL CONSULTANT	MERRILL WEISS GROUP LLC 227 CENTRAL AVENUE METUCHEN, NJ 08840-1242	+1 (732) 494-6400	MERRILL@MWGRP.COM	Technical Representative

Alien Ownership

Question		Response
1) Is the applicant a foreign government or the representative of any foreign government as specified in Section 310(a) of the Communications Act?		
2) Is the applicant subject to the provisions set forth under Section 310(b) of the Communications Act, for a broadcast, common carrier, aeronautical en route, or aeronautical fixed radio station Authorization?		
3) Is the applicant an alien or the representative of an alien? (Section 310(b)(1))		
4) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))		
5) Is the applicant an entity of which more than one-fifth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any entity organized under the laws of a foreign country? (Section 310(b)(3))		
6) Is the applicant directly or indirectly controlled by any other entity of which more than one-fourth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any entity organized under the laws of a foreign country? (Section 310(b)(4))		
7) Has the applicant received a ruling(s) under Section 310(b)(4) of the Communications Act with respect to the same radio service involved in this application?		
8) Has there been any change in the applicant's foreign ownership since issuance of the declaratory ruling(s) cited in response to Question 7?		
8a) Enter the File or Docket Number of the Petition for Declaratory Ruling that the applicant has filed for its foreign ownership in connection with this application pursuant to Section 310(b)(4) of the Communications Act. It is not necessary to file a request for a foreign ownership declaratory ruling if the applicant attaches a showing that the requested authorization(s) is exempt from the provisions of Section 310(b)(4).		
9) Does the applicant's foreign ownership comply with the declaratory ruling(s) cited in response to Question 7?		

Basic Qualifying Questions

Section	Question	Response
Revoked Application	Has the Applicant or any party to this application had any FCC station Authorization revoked or had any application for an initial, modification or renewal of FCC station Authorization denied by the Commission?	
State or Federal Convictions	Has the Applicant or any party to this application, or any party directly or indirectly controlling the Applicant, ever been convicted of a felony by any state or federal court?	

Channel and Facility Information

Section	Question	Response
Proposed Community of License	Facility ID	63865
	State	California
	City	BARSTOW
	DTS Channel	44
Facility Type	Facility Type	Commercial
	Station Type	Main
Zone	Zone	2

DTS Reference Point

Section	Question	Response
Construction Permit File Number and Facility ID	File Number for Current Authorized Service Area:	
	Facility ID	63865
Coordinates (NAD83)	Latitude	34° 36' 33.9" N+
	Longitude	117° 17' 14.1" W-

Site 1: Antenna
Location Data

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1014642
Coordinates (NAD83)	Latitude	34° 36' 33.9" N+
	Longitude	117° 17' 14.1"
	Structure Type	
	Overall Structure Height	156 meters
	Support Structure Height	
	Ground Elevation (AMSL)	1368 meters
Antenna Data	Height of Radiation Center Above Ground Level	146 meters
	Height of Radiation Center Above Average Terrain	597 meters
	Height of Radiation Center Above Mean Sea Level	1514.0 meters
	Effective Radiated Power	1000 kW

Site 1: Antenna
Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Directional Custom
	Do you have an Antenna ID?	
	Antenna ID	93205
Antenna Manufacturer and Model	Manufacturer:	ERI
	Model	ATW24H4-HSCX-44H
	Electrical Beam Tilt	1
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Horizontal
DTV and DTS: Elevation Pattern	Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt?	Yes
	Rotation	0 degrees
	Uploaded file for elevation antenna (or radiation) pattern data	

Directional Antenna Relative Field Values (Pre-rotated Pattern)

Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)
0	0.171	90	0.403	180	0.974	270	0.983
10	0.139	100	0.582	190	0.978	280	0.995
20	0.228	110	0.741	200	0.988	290	0.998
30	0.298	120	0.865	210	0.997	300	0.976
40	0.316	130	0.947	220	1	310	0.92
50	0.276	140	0.989	230	0.994	320	0.821
60	0.19	150	0.998	240	0.984	330	0.681
70	0.127	160	0.99	250	0.975	340	0.512
80	0.228	170	0.979	260	0.975	350	0.33

Additional Azimuths

Degree	V _A
6	0.127
38	0.317
218	1

Site 2: Antenna
Location Data

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1213941
Coordinates (NAD83)	Latitude	34° 12' 47.9" N+
	Longitude	118° 03' 44.3"
	Structure Type	
	Overall Structure Height	60.9 meters
	Support Structure Height	
	Ground Elevation (AMSL)	1655 meters
Antenna Data	Height of Radiation Center Above Ground Level	30.5 meters
	Height of Radiation Center Above Average Terrain	878.9 meters
	Height of Radiation Center Above Mean Sea Level	1685.5 meters
	Effective Radiated Power	169.3 kW

Site 2: Antenna
Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Directional Custom
	Do you have an Antenna ID?	
	Antenna ID	93206
Antenna Manufacturer and Model	Manufacturer:	RFS
	Model	DX24-D
	Electrical Beam Tilt	3.8
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Horizontal
DTV and DTS: Elevation Pattern	Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt?	Yes
	Rotation	152 degrees
	Uploaded file for elevation antenna (or radiation) pattern data	

Directional Antenna Relative Field Values (Pre-rotated Pattern)

Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)
0	1	90	0.263	180	0.253	270	0.263
10	0.96	100	0.263	190	0.253	280	0.263
20	0.808	110	0.253	200	0.253	290	0.232
30	0.505	120	0.232	210	0.232	300	0.202
40	0.283	130	0.222	220	0.222	310	0.222
50	0.222	140	0.222	230	0.222	320	0.283
60	0.202	150	0.232	240	0.232	330	0.505
70	0.232	160	0.253	250	0.253	340	0.808
80	0.263	170	0.253	260	0.263	350	0.96

Additional Azimuths

Degree	V _A
61	0.213
299	0.213

Site 3: Antenna
Location Data

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1256620
Coordinates (NAD83)	Latitude	34° 02' 17.1" N+
	Longitude	116° 48' 50.0"
	Structure Type	
	Overall Structure Height	52.1 meters
	Support Structure Height	
	Ground Elevation (AMSL)	2408 meters
Antenna Data	Height of Radiation Center Above Ground Level	30.5 meters
	Height of Radiation Center Above Average Terrain	767.6 meters
	Height of Radiation Center Above Mean Sea Level	2438.5 meters
	Effective Radiated Power	40 kW

Site 3: Antenna
Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Directional Custom
	Do you have an Antenna ID?	
	Antenna ID	93207
Antenna Manufacturer and Model	Manufacturer:	RFS
	Model	DX24-H
	Electrical Beam Tilt	3.5
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Horizontal
DTV and DTS: Elevation Pattern	Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt?	Yes
	Rotation	135 degrees
	Uploaded file for elevation antenna (or radiation) pattern data	

Directional Antenna Relative Field Values (Pre-rotated Pattern)

Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)
0	0.35	90	1	180	0.219	270	1
10	0.39	100	0.965	190	0.21	280	0.965
20	0.4	110	0.81	200	0.19	290	0.835
30	0.375	120	0.6	210	0.235	300	0.62
40	0.36	130	0.4	220	0.3	310	0.425
50	0.425	140	0.3	230	0.4	320	0.36
60	0.62	150	0.235	240	0.6	330	0.375
70	0.835	160	0.19	250	0.81	340	0.4
80	0.965	170	0.21	260	0.965	350	0.39

Additional Azimuths

Degree	V _A
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**Parties to the
Application (0)**

Information not provided.

Attributable Interest

Section	Question	Response
Equity and Financial Interests	Applicant certifies that equity and financial interests not set forth by the applicant parties are non-attributable.	
Multiple Ownership	Is the applicant or any party to the application the holder of an attributable radio or television joint sales agreement or an attributable radio or television time brokerage agreement in the same market as the station subject to this application?	No
	Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules and cross-ownership rules.	Yes
	Applicant certifies that the proposed facility: (a) does not present an issue under the Commission's policies relating to media interests of immediate family members; (b) complies with the Commission's polices relating to future ownership interests; (c) complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors	Yes
	Does the Applicant claim status as an "eligible entity," that is, an entity that qualifies as a small business under the Small Business Administration's size standards for its industry grouping (as set forth in 13 C.F.R. § 121-201), and holds: (a) 30 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet; or (b) 15 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet, provided that no other person or entity owns or controls more than 25 percent of the outstanding stock or partnership interests; or (c) more than 50 percent of the voting power of the corporation that will own the media outlet (if such corporation is a publicly traded company)?	No

**Construction
Permit
Certifications**

Section	Question	Response
Environmental Effect	Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? (See Section 1.1306 of 47 C.F.R.)	
Broadcast Facility	The proposed facility complies with the applicable engineering standards and assignment requirements of 47 C.F.R. Sections 73.616, 73.622(i), 73.623(e), 73.625, 73.1030, and 73.1125.	Yes
Interference Protection Provisions	The proposed TV station satisfies the interference protection provisions of 47 C.F.R. Section 73.626.	Yes
DTS Facility Requirements	The combined coverage from all of the DTS transmitters in the proposed DTS facility covers all of the station's authorized service area, as required in 47 C.F.R. Section 73.626(f)(1).	Yes
	Each DTS transmitter's coverage is contained within either the TV station's Table of Distances area (47 C.F.R. Section 73.626 (c)) or its authorized service area, except where such coverage is of a minimal amount and necessary to meet the requirements of 47 C.F.R. Section 73.626(f)(1).	Yes, but coverage exceeds station s authorized service area by minimal amount
	Each DTS transmitter's coverage is contiguous with at least one other DTS transmitter's coverage, as required in 47 C.F.R. Section 73.626(e)(3).	Yes
	The coverage from one or more DTS transmitter(s) in the DTS facility provide(s) principal community coverage, as required in 47 C.F.R. Section 73.626(e)(4).	
	<p>The combined field strength of all of the DTS transmitters in the proposed DTS facility do not cause interference to another station in excess of the criteria specified in 47 C.F.R. Section 73.616, as required in 47 C.F.R. Section 73.626(e)(5).</p> <p>Note: The combined field strength level shall be determined by a "root-sum-square" calculation, where the combined field strength level at a given location is equal to the square root of the sum of the squared field strengths from each transmitter in the DTS network at that location.</p>	Yes
	Each DTS transmitter in the proposed DTS facility is located within either the TV station's Table of Distances area or its authorized service area.	Yes

Legal
Certifications

Section	Question	Response
Character Issues	<p>Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with:</p> <p>(a) any broadcast application in any proceeding where character issues were left in unresolved or were resolved adversely against the applicant or party to the application; or</p> <p>(b) any pending broadcast application in which character issues have been raised.</p>	
Adverse Findings	<p>Has the Applicant or any party to this application had an adverse finding or an adverse final action taken by any court or administrative body in a civil or criminal proceeding brought under any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?</p>	
Program Service Certification	<p>Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.</p>	
Local Public Notice	<p>Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.</p>	
Auction Authorization	<p>Is the applicant submitting an application to obtain a construction permit as a result of winning an auction?</p>	
Equal Employment Opportunity (EEO)	<p>If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report.</p>	

Certification

Section	Question	Response
General Certification Statements	The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	
	The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002(c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	
Authorized Party to Sign	FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application. WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).	
	I certify that this application includes all required and relevant attachments.	
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	ARTHUR LIU 06/01/2009

Attachments

Information not provided.